

**Testimony of Anonymous
Regarding HB 5548, An Act Concerning Domestic Violence
Judiciary Committee Public Hearing
March 23, 2012**

Senator Coleman, Representative Fox, and members of the Judiciary Committee, I am hoping that you will take a serious look at what can be done to better protect victims of stalking and put yourself in the shoes of others, including myself, as one day you or a loved one may be in my situation. Having no legal recourse to further protect yourself (until the offender "ups their game" at your expense) only makes me feel twice victimized and very vulnerable.

This is situation for many can boil down to a matter of life or death.

The following is a letter that I sent to law enforcement after I was told that I am ineligible for a restraining order. HB 5548 in its current form will not protect me as a stalking victim, and it will not make me eligible for a restraining order. Please consider amendments to the legislation to strengthen the stalking statutes and to make restraining orders more easily available to victims.

Thank you for your consideration.

Anonymous
Waterbury, CT

Thursday, February 23, 2012

Detective _____ & To Whom it May Concern:

On 2/22/12 I came to the station to follow up on the police report I made on 2/14/12 (the law defines my situation as harassment, I define it as stalking) and I was given the option to get a restraining order.

Today I left work early since the clerk at the courthouse made this process seem lengthy; I'd have to fill out a restraining order "packet", wait for an available clerk to do their part, wait and see if a judge was available to hear my case (if not I would have to come back once a return date was given) and then if the judge granted the order, I would have to go the Marshals office with the paper work.

All of which I have no problem with in order to protect myself and my kids. However, that option is NOT available to me. The first page of this packet clearly states the Respondent has to be the following:

- | | |
|------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> My spouse or a person I have a civil union with | <input type="checkbox"/> My child |
| <input type="checkbox"/> My former spouse or a person I had a civil union with | <input type="checkbox"/> A person 18 or over related to me by blood or marriage |
| <input type="checkbox"/> Parent of my child | <input type="checkbox"/> A person 16 or over with whom I reside |
| <input type="checkbox"/> My parent | <input type="checkbox"/> A caretaker who is providing shelter in his or her residence to a person 60 years of age or older |
| <input type="checkbox"/> A person with whom I have (or recently had) a dating relationship or with whom I have resided | |

The clerk also emphasized that if these choices did not apply to my situation and couldn't put an X next to any of them, I could not apply for a restraining order.

So where does this leave me? The clerk also handed me another document that listed the same information and said that it was given to the police in his words, "100 times". Why send me to the courthouse when I can't take this extra step to protect myself? Again I ask, what do I do now? Not being able to obtain this order actually heightens my fear. I'm trying to do everything in my power to keep me and my family safe and keep us feeling safe in our home. How can I accomplish that when every reasonable means that *should* be available to help me is not? He's not my relative, I've NEVER dated him, NEVER liked him or anything. Why isn't there an "Other" category or "Being Harassed by Respondent" category?

Don't get me wrong, I know you're doing your best within the parameters of the law. But I can safely speak for others in my situation or for those who are cyberbullied when I ask; Does something have to happen to us before our situation fits the laws criteria to obtain further protection? Matters such as these seem to be minor (but not minor to the victim) in the eyes of the law. What will it take to widen the laws parameter to better protect those of us dealing with the uncertainty of another person's actions?

According to the law, my case is harassment. By simple definition, harass means "To bother or annoy someone again and again."

Imagine if you were continually sent (even after police involvement 3 previous times) unwelcome correspondences with disturbing and pornographic content. In addition, they keep sending you gifts & money even after you've sent them back and continue writing sexually explicit things they want to do to you. They talk about their dreams and fantasies about you as if they were reality and you can tell that this person truly believes their fantasies are real and they imply you have mutual feelings. After the police get involved they tell you their blood boils when they think of you, of course they try to smooth it out with "nicer" statements after. Would you feel it's just harassment or would you feel they are dangerously delusional? So why can't I get a restraining order on someone like that?

For me this person is a stalker. I've moved, and their very unwelcome presence is back. Just because he hasn't come to Connecticut yet (as far as I know) doesn't mean he won't, especially since he grew up here and has family here. I can guarantee if I were a wife, daughter, sister or mother of a judge, lawyer, police or President of USA, it wouldn't be viewed as merely harassment. At the very least, they would personally feel this was stalking.

My stalker's correspondence scares me to the core because he is clearly not balanced. And that poses a danger to me and my children.

The paper from the clerk also said that being referred by the police does not automatically qualify you for a restraining order. Why send me since according to the narrow interpretation of the law my situation doesn't fit the categories listed and no exception can be made to that statute? To be honest, I'm not upset that I went to the courthouse for nothing, I'm upset that the law doesn't permit me to further protect myself. Does that make sense to you?

The paper given to me by the clerk also listed the "Matters Requiring Police Action". I've written them below along with my feelings on each one.

Sec. 53a-61: Assault in the 3rd degree: Class A Misdemeanor – N/A

Sec. 53a-62: Threatening: Class A Misdemeanor – After the police where involved he sent me a letter saying his blood boils when he thinks of me, I find that threatening. Just because he followed it with nicer statements doesn't make it ok, and to me that spells "psychotic ticking time bomb".

Sec. 53a-181: Breach of Peace: Class B Misdemeanor – My sense of security and peace of mind have been breached since 2005 by him. I feel on edge for a long time after he makes contact wondering if he's going to just show up one day or write me again. Frankly, in the evening I feel scared in my home when I hear noises. It's of no comfort that his address is out of state; he's traveled all over the U.S. and to different countries according to his letters. What's to prevent him from coming here?

Sec. 53a-182: Disorderly Conduct: Class C Misdemeanor – One of the definitions for disorderly are **uncontrolled** and possibly violent. He seems to have an **uncontrolled** need to contact me with lewd letters and is now continuing to contact me even after police have spoken to him and I've moved.

Sec.53-181d: Stalking: Class A Misdemeanor – The law has their definition of stalking and a victim has theirs. Some other words for stalk are: *follow, track, pursue, hunt, haunt, menace*. Since 2005 he has been *pursuing* me with letters, cards, gifts & money which now have *followed* me to my new address which makes me feel *hunted*. I know he's been *haunting* the florists regarding his recent flower delivery to see if I received the flowers, which I can guarantee he's been trying to call me too, however I don't have caller I.D. so I can't prove it. But he's included his email in 2 of the 3 cards recently sent and says to "Hit me up sometimes". Last year when I had internet, I looked myself up on peoplefinder.com and there was a message saying that 1 person was trying to locate me. I don't know who it was for sure because I wasn't going to pay for that information, but I wouldn't doubt it was my stalker trying to *track* me down. With every fiber of my being I feel he is a *menace* to me & my girls.

I've written all this because I feel very disturbed by this situation and I have many moments when I feel he could be "lying in wait", the "police" term for stalking. I feel insecure and edgy about my family's security. Knowing that someone is out there who believes his fantasies as fact, and has been trained by the military to fight and kill, can show up for me at any time is extremely disconcerting. He may just show up because he dreamt about it (from his letters it's clear he puts a lot of stock in dreams) or he just may snap because I don't return his delusional affections. Forgive the repetition, but why can't I get a restraining order?

Please be assured that what I'm saying is **no way a reflection on you** or how you're handling my case, you've been extremely helpful. I guess I'm in disbelief and shocked that this additional safety measure isn't available for me or people like me. This just heightens my anxiety and makes me feel unsafe. To me this is a reflection on how the law doesn't always have peoples/victims best interest in mind, it reflects badly on the lawmakers. I appreciate your efforts with my case and I thank you for taking the time to read my letter.

Sincerely,

Anonymous
Waterbury, CT

